

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3137 of 2022**

Arising Out of PS. Case No.-280 Year-2020 Thana- BASANTPUR District- Siwan

Wakil Mahto, Son of Haruni Mahto, Resident of Village- Khudwan, P.S.-  
Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md. Obaidullah, Advocate  
For the State : Mr. Anant Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      01-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks.

In the present case, the petitioner seeks bail in  
connection with Basantpur P.S. Case No. 280 of 2020 registered  
for the alleged offences under Sections 341, 323, 328, 302 and  
120(B) of the Indian Penal Code.

As per prosecution case, the informant got  
information that her husband had fallen ill. When she went to  
attend her husband she came to know that the petitioner and  
other co-accused persons assaulted her husband and snatched  
his gold chain and took his money. Later on, the husband of the  
informant died during his treatment.



The learned counsel for the petitioner submits that there is no eye-witness to the occurrence and the case of the informant does not inspire confidence. The postmortem report does not show any internal or external injury and no opinion has been given on the cause of death though, viscera has been preserved. There is no specific allegation against this petitioner for any assault. The petitioner is in custody since 03.09.2021 and charges have been framed.

Learned APP opposes the prayer for bail submitting that the petitioner is named in the FIR.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no substantive material has come up on record to show the connection of the petitioner with the offence as alleged against him and further considering the period of his custody and framing of charge, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 280 of 2020, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and



the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

himanshu/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

